

Section 2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

PAUL E. JACOBS ET AL.

Serial No. 09/668,511



For: E-MAIL SOFTWARE AND METHOD
AND SYSTEM FOR DISTRIBUTING
ADVERTISEMENTS TO CLIENT
DEVICES THAT HAVE SUCH
E-MAIL SOFTWARE INSTALLED
THEREON

Filed: September 22, 2000

) Group Art Unit: Unknown

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
UNDER 37 CFR §1.53 (b)

Asst. Commissioner of Patents
BOX MISSING PARTS
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date
Granted which was mailed on November 14, 2000, enclosed are:

I hereby certify that this correspondence is being
deposited with the United States Postal Service
as first class mail in an envelope addressed to the
Asst. Commissioner of Patents, Washington,
D.C. 20231, on:

January 16, 2001

(Date of Deposit)

Diane Courtemanche

(Name of the Person Making Deposit)

(Signature)

January 16, 2001

(Date of Signature)

1. Office's copy of Formalities Letter;
2. Executed Declaration/Power of Attorney;
3. Return postcard.

Please charge Deposit Account No. 17 - 0026 of QUALCOMM Incorporated in the amount of \$130.00. The Commissioner is further hereby authorized to charge to said Deposit Account No. 17 - 0026, pursuant to 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

A duplicate copy of this letter is enclosed.

Respectfully submitted,

Dated: January 16, 2001

By: Kent D. Baker
Patent Counsel
Attorney for Applicants
Registration No. 38,822

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5703
Facsimile: (858) 658-2502



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/668,511 | 09/22/2000 | Paul E. Jacobs | PA000364 |

Qualcomm Incorporated
5775 Morehouse Drive
San Diego, CA 92121-1714



FORMALITIES LETTER



OC00000005552090

Date Mailed: 11/14/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **18B through 18E** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the late **RECEIVED** date **must** be filed within **TWO MONTHS** of the date of this Notice.

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III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR**

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1.136(a) or (b). In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Nikki Luangvitham

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE ,

RECEIVED

NOV 27 2000